



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO 80204

Reply to
Attn. of:

CACFP-258

OCT 2 1991

Subject: Licensing of Child Care Centers in Schools

To:

STATE AGENCY DIRECTORS
(Special Nutrition Programs)

- Colorado DH, Iowa, Kansas, Missouri DH,
Montana DHES, Nebraska ED, North Dakota,
South Dakota, Utah and Wyoming ED

This memorandum clarifies our policy with regard to those situations in which States or local governments exempt school-operated child care programs from licensing.

Child and Adult Care Food Program (CACFP) Regulations require that, in order to participate in the Program, all child care facilities have current Federal, State or local licensing or approval. Some State and local authorities have chosen to exempt schools which operate child care programs from child care licensing in the belief that a school's "license" to operate as a school is sufficient to cover their child care operations as well. We believe that this is a legitimate reason for exempting schools from child care licensing and, therefore, for purposes of the CACFP, it is not necessary for a school to be licensed as a child care facility if it is exempted from such licensing by State and/or local authorities. Schools which apply to participate in the CACFP need only provide written documentation attesting to their exemption.

This policy pertains only to child care facilities which are under the direct legal and operational control of a school board, school district or individual school. It does not apply to a child care facility which may be within a school building or located on school grounds but for which the school has no legal or operational responsibility.

If you have any questions in this regard, please feel free to contact our office at (303) 844-0359.

Ann C. Hector

ANN C. HECTOR
Regional Director
Special Nutrition Programs